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UNITED STATES BANKRUPTCY COURT EASTERN DISTRICT OF VIRGINIA

13-36245

CHAPTER 13 PLAN AND RELATED MOTIONS

Name of Debto	or(s): Jeaneen Shartrice Townes	Case No:
This plan, dated	November 18, 2013 , is:	
	the <i>first</i> Chapter 13 plan filed in this case. a modified Plan, which replaces the □confirmed or □unconfirmed Plan dated. Date and Time of Modified Plan Confirming Hearing:	
	Place of Modified Plan Confirmation Hearing:	
5	The Plan provisions modified by this filing are:	
(Creditors affected by this modification are:	

NOTICE: YOUR RIGHTS WILL BE AFFECTED. You should read these papers carefully. If you oppose any provision of this Plan, or if you oppose any included motions to (i) value collateral, (ii) avoid liens, or (iii) assume or reject unexpired leases or executory contracts, you MUST file a timely written objection.

This Plan may be confirmed and become binding, and the included motions in paragraphs 3, 6, and 7 to value collateral, avoid liens, and assume or reject unexpired leases or executory contracts may be granted, without further notice or hearing unless a written objection is filed not later than seven (7) days prior to the date set for the confirmation hearing and the objecting party appears at the confirmation hearing.

The debtor(s)' schedules list assets and liabilities as follows:

Total Assets: \$6,925.00

Total Non-Priority Unsecured Debt: \$34,868.33

Total Priority Debt: **\$1,103.98** Total Secured Debt: **\$900.00**

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- 1. Funding of Plan. The debtor(s) propose to pay the trustee the sum of \$175.00 Monthly for 48 months. Other payments to the Trustee are as follows: NONE . The total amount to be paid into the plan is \$ 8,400.00 .
- 2. **Priority Creditors.** The Trustee shall pay allowed priority claims in full unless the creditor agrees otherwise.
 - A. Administrative Claims under 11 U.S.C. § 1326.
 - 1. The Trustee will be paid the percentage fee fixed under 28 U.S.C. § 586(e), not to exceed 10%, of all sums disbursed except for funds returned to the debtor(s).
 - 2. Debtor(s)' attorney will be paid \$ 2,991.00 balance due of the total fee of \$ 3,000.00 concurrently with or prior to the payments to remaining creditors.
 - B. Claims under 11 U.S.C. §507.

The following priority creditors will be paid by deferred cash payments pro rata with other priority creditors or in monthly installments as below, except that allowed claims pursuant to 11 U.S.C. § 507(a)(1) will be paid prior to other priority creditors but concurrently with administrative claims above:

Creditor	Type of Priority	Estimated Claim	Payment and Term
Internal Revenue Service	Taxes and certain other debts	1,103.98	Prorata
			8 months

- 3. Secured Creditors: Motions to Value Collateral ("Cramdown"), Collateral being Surrendered, Adequate Protection Payments, and Payment of certain Secured Claims.
 - A. Motions to Value Collateral (other than claims protected from "cramdown" by 11 U.S.C. § 1322(b)(2) or by the final paragraph of 11 U.S.C. § 1325(a)). Unless a written objection is timely filed with the Court, the Court may grant the debtor(s)' motion to value collateral as set forth herein.

This section deals with valuation of certain claims secured by real and/or personal property, other than claims protected from "cramdown" by 11 U.S.C. § 1322(b)(2) [real estate which is debtor(s)' principal residence] or by the final paragraph of 11 U.S.C. § 1325(a) [motor vehicles purchased within 910 days or any other thing of value purchased within 1 year before filing bankruptcy], in which the replacement value is asserted to be less than the amount owing on the debt. Such debts will be treated as secured claims only to the extent of the replacement value of the collateral. That value will be paid with interest as provided in sub-section D of this section. You must refer to section 3(D) below to determine the interest rate, monthly payment and estimated term of repayment of any "crammed down" loan. The deficiency balance owed on such a loan will be treated as an unsecured claim to be paid only to the extent provided in section 4 of the Plan. The following secured claims are to be "crammed down" to the following values:

<u>Creditor</u> <u>Collateral</u> <u>Purchase Date</u> <u>Est Debt Bal.</u> <u>Replacement Value</u>

B. Real or Personal Property to be Surrendered.

Upon confirmation of the Plan, or before, the debtor(s) will surrender his/her/their interest in the collateral securing the claims of the following creditors in satisfaction of the secured portion of such creditors' allowed claims. To the extent that the collateral does not satisfy the claim, any timely filed deficiency claim to which the creditor is entitled may be paid as a non-priority unsecured claim. Confirmation of the Plan shall terminate the automatic stay as to the interest of the debtor(s) and the estate in the collateral.

<u>Creditor</u> <u>Collateral Description</u> <u>Estimated Value</u> <u>Estimated Total Claim</u>

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C. Adequate Protection Payments.

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The debtor(s) propose to make adequate protection payments required by 11 U.S.C. § 1326(a) or otherwise upon claims secured by personal property, until the commencement of payments provided for in sections 3(D) and/or 6(B) of the Plan, as follows:

<u>Creditor</u> <u>Collateral Description</u> <u>Monthly Payment</u> <u>To Be Paid By</u>

Any adequate protection payment upon an unexpired lease of personal property assumed by the debtor(s) pursuant to section 6(B) of the Plan shall be made by the debtor(s) as required by 11 U.S.C. § 1326(a)(1)(B) (payments coming due after the order for relief).

D. Payment of Secured Claims on Property Being Retained (except only those loans provided for in section 5 of the Plan):

This section deals with payment of debts secured by real and/or personal property [including short term obligations, judgments, tax liens and other secured debts]. After confirmation of the Plan, the Trustee will pay to the holder of each allowed secured claim, which will be either the balance owed on the indebtedness or, where applicable, the collateral's replacement value as specified in sub-section A of this section, whichever is less, with interest at the rate provided below, the monthly payment specified below until the amount of the secured claim has been paid in full. Upon confirmation of the Plan, the valuation and interest rate shown below will be binding unless a timely written objection to confirmation is filed with and sustained by the Court.

Creditor Collateral Approx. Bal. of Debt or Crammed Down" Value Paymt & Est. Term**

Loan Max 1997 Nissan Maxima 267,000 mi Valuation: NADA Clean Retail Valuation: NADA Clean Retail

E. Other Debts.

Debts which are (i) mortgage loans secured by real estate which is the debtor(s)' primary residence, or (ii) other long term obligations, whether secured or unsecured, to be continued upon the existing contract terms with any existing default in payments to be cured pursuant to 11 U.S.C. § 1322(b)(5), are provided for in section 5 of the Plan.

4. Unsecured Claims.

- A. Not separately classified. Allowed non-priority unsecured claims shall be paid pro rata from any distribution remaining after disbursement to allowed secured and priority claims. Estimated distribution is approximately 5.

 W. The dividend percentage may vary depending on actual claims filed. If this case were liquidated under Chapter 7, the debtor(s) estimate that unsecured creditors would receive a dividend of approximately 0 %.
- B. Separately classified unsecured claims.

Creditor	Basis for Classification	Treatment
-NONE-		

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- 5. Mortgage Loans Secured by Real Property Constituting the Debtor(s)' Primary Residence; Other Long Term 2 4 5 Payment Obligations, whether secured or unsecured, to be continued upon existing contract terms; Curing of any existing default under 11 U.S.C. § 1322(b)(5).
 - A. Debtor(s) to make regular contract payments; arrears, if any, to be paid by Trustee. The creditors listed below will be paid by the debtor(s) pursuant to the contract without modification, except that arrearages, if any, will be paid by the Trustee either pro rata with other secured claims or on a fixed monthly basis as indicated below, without interest unless an interest rate is designated below for interest to be paid on the arrearage claim and such interest is provided for in the loan agreement.

		Regular		Arrearage		Monthly
		Contract	Estimated	Interest	Estimated	Arrearage
Creditor	Collateral	Payment	Arrearage	Rate	Cure Period	Payment
-NONE-						

B. Trustee to make contract payments and cure arrears, if any. The Trustee shall pay the creditors listed below the regular contract monthly payments that come due during the period of this Plan, and pre-petition arrearages on such debts shall be cured by the Trustee either pro rata with other secured claims or with monthly payments as set forth below.

		Regular			Monthly
		Contract	Estimated Interest	Term for	Arrearage
Creditor	Collateral	Payment	Arrearage Rate	Arrearage	Payment

C. Restructured Mortgage Loans to be paid fully during term of Plan. Any mortgage loan against real estate constituting the debtor(s)' principal residence upon which the last scheduled contract payment is due before the final payment under the Plan is due shall be paid by the Trustee during the term of the Plan as permitted by 11 U.S.C. § 1322(c)(2) with interest at the rate specified below as follows:

-NONE-				
<u>Creditor</u>	<u>Collateral</u>	Rate	Claim	Monthly Paymt& Est. Term**
		Interest	Estimated	

- **6. Unexpired Leases and Executory Contracts.** The debtor(s) move for assumption or rejection of the executory contracts and leases listed below.
 - **A. Executory contracts and unexpired leases to be rejected.** The debtor(s) reject the following executory contracts.

Creditor Type of Contract -NONE-

B. Executory contracts and unexpired leases to be assumed. The debtor(s) assume the following executory contracts. The debtor agrees to abide by all terms of the agreement. The Trustee will pay the pre-petition arrearages, if any, through payments made pro rata with other priority claims or on a fixed monthly basis as indicated below.

Groom Brothers Realty	Lease	0.00		0 months
Creditor	Type of Contract	Arrearage	for Arrears	Cure Period
			Payment	Estimated

Monthly

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7. Liens Which Debtor(s) Seek to Avoi	7.	Liens	Which	Debtor(s	s) Seek to	Avoid.
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A. The debtor(s) move to avoid liens pursuant to 11 U.S.C. § 522(f). The debtor(s) move to avoid the following judicial liens and non-possessory, non-purchase money liens that impair the debtor(s)' exemptions. Unless a written objection is timely filed with the Court, the Court may grant the debtor(s)' motion and cancel the creditor's lien. If an objection is filed, the Court will hear evidence and rule on the motion at the confirmation hearing.

Creditor -NONE-

Collateral

Exemption Amount

Value of Collateral

B. Avoidance of security interests or liens on grounds other than 11 U.S.C. § 522(f). The debtor(s) have filed or will file and serve separate pleadings to avoid the following liens or security interests. The creditor should review the notice or summons accompanying such pleadings as to the requirements for opposing such relief. The listing here is for information purposes only.

Creditor -NONE-

Type of Lien

Description of Collateral

Basis for Avoidance

- 8. Treatment and Payment of Claims.
 - All creditors must timely file a proof of claim to receive payment from the Trustee.
 - If a claim is scheduled as unsecured and the creditor files a claim alleging the claim is secured but does not timely object to confirmation of the Plan, the creditor may be treated as unsecured for purposes of distribution under the Plan. This paragraph does not limit the right of the creditor to enforce its lien, to the extent not avoided or provided for in this case, after the debtor(s) receive a discharge.
 - If a claim is listed in the plan as secured and the creditor files a proof of claim alleging the claim is unsecured, the creditor will be treated as unsecured for purposes of distribution under the Plan.
 - The Trustee may adjust the monthly disbursement amount as needed to pay an allowed secured claim in full.
- **9. Vesting of Property of the Estate.** Property of the estate shall revest in the debtor(s) upon confirmation of the Plan. Notwithstanding such vesting, the debtor(s) may not sell, refinance, encumber real property or enter into a mortgage loan modification without approval of the Court after notice to the Trustee, any creditor who has filed a request for notice and other creditors to the extent required by the Local Rules of this Court.
- **10. Incurrence of indebtedness.** The debtor(s) shall not voluntarily incur additional indebtedness exceeding the cumulative total of \$5,000 principal amount during the term of this Plan, either unsecured or secured against personal property, except upon approval of the Court after notice to the Trustee, any creditor who has filed a request for notice, and other creditors to the extent required by the Local Rules of this Court.
- 11. Other provisions of this plan:

Signatures:	
Dated: November 18, 2013	
/s/ Jeaneen Shartrice Townes	/s/ Roger C Hurwitz for America Law Group
Jeaneen Shartrice Townes	Roger C Hurwitz for America Law Group
Debtor	Debtor's Attorney

Exhibits: Copy of Debtor(s)' Budget (Schedules I and J);

Matrix of Parties Served with Plan

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Certificate of Service

I certify that on November 18, 2013, I mailed a copy of the foregoing to the creditors and parties in interest on the attached Service List.

/s/ Roger C Hurwitz for America Law Group
Roger C Hurwitz for America Law Group
Signature

America Law Group, Inc. dba Debt Law Group 4306 Plank Rd #10 Fredericksburg, VA 22407

Address

804-921-1787

Telephone No.

Ver. 09/17/09 [effective 12/01/09]

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B6I (Offi	cial Form 6I) (12/07)			12_262/5
In re	Jeaneen Shartrice Townes		Case No.	13-36243
		Debtor(s)		

SCHEDULE I - CURRENT INCOME OF INDIVIDUAL DEBTOR(S)

The column labeled "Spouse" must be completed in all cases filed by joint debtors and by every married debtor, whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed. Do not state the name of any minor child. The average monthly income calculated on this form may differ from the current monthly income calculated on Form 22A, 22B, or 22C.

Debtor's Marital Status:	DEPENDENTS OF DE		POUSE		
Debtoi's Maritar Status.	RELATIONSHIP(S):	AGE(S):			
Single	Son	16			
Employment:	DEBTOR		SPOUSE		
Occupation	Bus Aide				
Name of Employer	Henrico County Public Schools				
How long employed	1 month				
Address of Employer	3820 Nine Mile Road Richmond, VA 23223				
INCOME: (Estimate of avera	age or projected monthly income at time case filed)		DEBTOR		SPOUSE
3 0	ry, and commissions (Prorate if not paid monthly)	\$	1,065.00	\$	N/A
2. Estimate monthly overtime		\$ <u> </u>	0.00	\$	N/A
3. SUBTOTAL		\$	1,065.00	\$	N/A
4. LESS PAYROLL DEDUC	TIONS				
a. Payroll taxes and soc		\$	107.00	\$	N/A
b. Insurance	ar security	\$ —	0.00	\$ 	N/A
c. Union dues		\$	0.00	\$	N/A
d. Other (Specify):		\$	0.00	\$	N/A
		\$	0.00	\$	N/A
5. SUBTOTAL OF PAYROL	L DEDUCTIONS	\$	107.00	\$	N/A
6. TOTAL NET MONTHLY	TAKE HOME PAY	\$	958.00	\$	N/A
7. Regular income from opera	ation of business or profession or farm (Attach detailed statemen	nt) \$	0.00	\$	N/A
8. Income from real property		\$	0.00	\$	N/A
9. Interest and dividends		\$	0.00	\$	N/A
dependents listed above	support payments payable to the debtor for the debtor's use or the	hat of \$	0.00	\$	N/A
11. Social security or government (Specify):	ment assistance	\$	0.00	\$	N/A
(Speeny).		\$ -	0.00	\$ 	N/A
12. Pension or retirement inc	ome	\$	0.00	\$	N/A
13. Other monthly income (Specify): See Deta	ailed Income Attachment	\$_	1,006.00	\$	N/A
14. SUBTOTAL OF LINES 7	7 THROUGH 13	\$	1,006.00	\$	N/A
15. AVERAGE MONTHLY	INCOME (Add amounts shown on lines 6 and 14)	\$	1,964.00	\$	N/A
16. COMBINED AVERAGE	MONTHLY INCOME: (Combine column totals from line 15)		\$	1,964.	.00

(Report also on Summary of Schedules and, if applicable, on Statistical Summary of Certain Liabilities and Related Data)

17. Describe any increase or decrease in income reasonably anticipated to occur within the year following the filing of this document:

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B6I (Offi	icial Form 6I) (12/07)			13-36245
In re	Jeaneen Shartrice Townes		Case No.	
		Debtor(s)		

SCHEDULE I - CURRENT INCOME OF INDIVIDUAL DEBTOR(S) Detailed Income Attachment

Other Monthly Income:

Food Stamps	\$ 242.00	\$ N/A
Contribution from roommate	\$ 200.00	\$ N/A
Prorated Tax Refund	\$ 564.00	\$ N/A
Total Other Monthly Income	\$ 1,006.00	\$ N/A

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B6J (Off	icial Form 6J) (12/07)			12_262/5
In re	Jeaneen Shartrice Townes		Case No.	13-30243
		Debtor(s)		

SCHEDULE J - CURRENT EXPENDITURES OF INDIVIDUAL DEBTOR(S)

Complete this schedule by estimating the average or projected monthly expenses of the debtor and case filed. Prorate any payments made bi-weekly, quarterly, semi-annually, or annually to show monthly expenses calculated on this form may differ from the deductions from income allowed on Form	ly rate. The	average
☐ Check this box if a joint petition is filed and debtor's spouse maintains a separate household. Compexpenditures labeled "Spouse."	plete a separa	te schedule of
1. Rent or home mortgage payment (include lot rented for mobile home)	\$	413.00
a. Are real estate taxes included? Yes No X	-	
b. Is property insurance included? Yes NoX		
2. Utilities: a. Electricity and heating fuel	\$	150.00
b. Water and sewer	\$	80.00
c. Telephone	\$	0.00
d. Other See Detailed Expense Attachment	\$	260.00
3. Home maintenance (repairs and upkeep)	\$	10.00
4. Food	\$	300.00
5. Clothing	\$	30.00
6. Laundry and dry cleaning	\$	20.00
7. Medical and dental expenses	\$	30.00
8. Transportation (not including car payments)	\$	200.00
9. Recreation, clubs and entertainment, newspapers, magazines, etc.	\$	15.00
10. Charitable contributions	\$	0.00
11. Insurance (not deducted from wages or included in home mortgage payments)	Ф	0.00
a. Homeowner's or renter's	\$	0.00
b. Life	\$	0.00
c. Health	\$	0.00
d. Auto	\$ \$	180.00 0.00
e. Other	»	0.00
12. Taxes (not deducted from wages or included in home mortgage payments)	φ	12.00
(Specify) Personal property tax	\$	12.00
13. Installment payments: (In chapter 11, 12, and 13 cases, do not list payments to be included in the		
plan)	¢	0.00
a. Auto b. Other	\$ \$	0.00
b. Other c. Other		0.00
	\$	
14. Alimony, maintenance, and support paid to others	\$	0.00
15. Payments for support of additional dependents not living at your home	\$	0.00
16. Regular expenses from operation of business, profession, or farm (attach detailed statement)17. Other See Detailed Expense Attachment	\$	90.00
17. Other See Detailed Expense Attachment	\$	90.00
18. AVERAGE MONTHLY EXPENSES (Total lines 1-17. Report also on Summary of Schedules	\$	1,790.00
and, if applicable, on the Statistical Summary of Certain Liabilities and Related Data.)	·	
19. Describe any increase or decrease in expenditures reasonably anticipated to occur within the year		
following the filing of this document:		
20. STATEMENT OF MONTHLY NET INCOME	_	
a. Average monthly income from Line 15 of Schedule I	\$	1,964.00
b. Average monthly expenses from Line 18 above	\$	1,790.00
c. Monthly net income (a. minus b.)	\$	174.00

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B6J (Official Form 6J) (12/07)		13-362/5	
In re Jeaneen Shartrice Townes	Case No.	13-36245	
Debtor(s)			
SCHEDULE J - CURRENT EXPENDITURES OF IND	IVIDUAL DEBT	COR(S)	
Detailed Expense Attachment			
Other Utility Expenditures:			
Cable		\$ 200.00	
Cell		\$ 60.00	
Total Other Utility Expenditures	:	\$ 260.00	
Other Expenditures:			
Educational expenses for minor	:	\$ 40.00	
Personal hygiene		\$ 20.00	
Emergency Funds		\$ 30.00	
Total Other Expenditures		\$ 90.00	

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A Programment by Bage 11 of 12 PO Box 30285 Salt Lake City, UT 84130

Department of Public Utilities PO Box 90775 Henrico, VA 23273-0775 6 2 4 5

Accounts Receivable Management PO Box 129

Thorofare, NJ 08086-0129

Cash Transfer Centers Level 8, Ste 3, Plaza Commerci Bisazza Street Sliema SLM 15, Malta

Credit Adjustment Board 306 East Grace St. Richmond, VA 23219

Alliance One 4850 Street Rd, Ste 300 Feasterville Trevose, PA 19053 CashnetUSA 200 West Jackson, Suite 1400 Chicago, IL 60606-6941

Credit Adjustment Board 8002 Discovery Drive, Ste 311 Henrico, VA 23229

Allied Cash Advance 200 SE 1st St Ste 800 Miami, FL 33131

Check City Collection Dep't 2729-B West Broad Street Richmond, VA 23220

Credit One Bank PO Box 98875 Las Vegas, NV 89193

BCC Financial Management Svcs 3230 W Commercial Blvd Suite 200 Fort Lauderdale, FL 33309

Check City PO Box 970183 Orem, UT 84097

Dominion Virginia Power PO Box 26543 Richmond, VA 23290-0001

BCC Financial Management Svcs PO Box 590097 Fort Lauderdale, FL 33359-0097

Check'n'Go 74 South Airport Drive Henrico, VA 23075

Eastern Account System INC. Attn: Bankruptcy Dept. PO Box 837 Newtown, CT 06470

Bon Secours PO Box 28538 Henrico, VA 23228

Comcast 5401 Staples Mill Road Henrico, VA 23228-5421

Eastern Account System of Conn PO Box 837 Newtown, CT 06470

Bon Secours Richmond Hlth Sys PO Box 28538 Henrico, VA 23228

Commonwealth Radiology, PC 1508 Willow Lawn Drive Suite 117 Richmond, VA 23230-3421

Edward L Mollen, MD 5855 Bremo Rd, Ste 702 Richmond, VA 23226

C&F Finance Company 1927 C&F Drive Hampton, VA 23666

Continental Emergency Services 111 Bulifants Blvd Suite B Williamsburg, VA 23188-5711

Enterprise Rent-A-Car PO Box 405738 Atlanta, GA 30384

C&F Finance Company PO Box 2129 Richmond, VA 23218

County of Henrico attn: Rhysa G South PO Box 90775 Henrico, VA 23273-7032 Family and Cosmetic Dentistry Paul Y Da Cunha DMD 8503 Patterson Ave, Ste C Henrico, VA 23229

601 S Minnesota Ave Sioux Falls, SD 57104

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Attn: Bankruptcy Department Po Box 105255 Atlanta, GA 303483 – 36245

First Virginia Financial Svcs 9121 Staples Mill Road Henrico, VA 23228-2026

NCO Financial Systems 7595 Montevideo Rd, Ste 110 Department 750 Jessup, MD 20794

Virginia Ear Nose and Throat PO Box 36007 Richmond, VA 23235

Great Expressions Dental Cntrs 4859 Finlay St Henrico, VA 23231

Pellettieri 991 Oak Creek Dr Lombard, IL 60148

Wells Fargo Bank OverdraftRecov - Mac P6053-021 PO Box 5058 Portland, OR 97208

Horizon Fin 8585 Broadway #88 Merrillville, IN 46410

Pmab Srvc 5970 Fairview Rd Ste 800 Charlotte, NC 28210

West End Anesthesia Group c/o MedDirect P.O. Box 120130 Grand Rapids, MI 49528-0103

House Recovery 6880 South Yosemite Court Suite 100 Aurora, CO 80012

Professional Placement Svcs 272 N 12th Street PO Box 612 Milwaukee, WI 53233-2604

West End Anesthesiology PO Box 88073 Chicago, IL 60680-1073

HSBC Bank PO Box 5253 Carol Stream, IL 60197 Quest Diagnostics 1901 Sulphur Spring Rd Halethorpe, MD 21227

West End Anesthsia Group 5855 Bremo Rd, Ste 100 Richmond, VA 23226

Internal Revenue Service Insolvency Unit PO Box 7346 Philadelphia, PA 19101-7346 Receivable Management PO Box 17305 Richmond, VA 23226

Kipling Financial Services dba MoneyMax Title Loans 4300 S Laburnum Ave Henrico, VA 23231

Receivables Management System PO Box 8630 Richmond, VA 23226

Loan Max 4802 South Laburnum Ave Henrico, VA 23231

St. Mary's Hospital PO Box 28538 Henrico, VA 23228

Memorial Regional Medical Cent 8260 Atlee Road Mechanicsville, VA 23116

SunTrust Bank PO Box 79079 Baltimore, MD 21279-0079